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Paper No. 5

Siemens Corporation
Intellectual Property Department
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Iselin, NJ 08830

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JAN 28 2004

OFFICE OF PETITIONS

In re Application of
Schroeder et al.
Application No. 09/745,676
Attorney Docket No. 00P9111US
Title: METHOD AND APPARATUS FOR
AERIAL IMAGE IMPROVEMENT IN
PROJECTION LITHOGRAPHY USING A
PHASE SHIFTING APERTURE

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REQUEST FOR INFORMATION

This is in response to the petition under 37 CFR 1.137(b), filed January 16, 2004, to revive the above-identified application. The petition included *prima facie* evidence in the form of an itemized and date-stamped return postcard receipt that the petition was originally filed in the Office on July 7, 2003.

Petitioner is given ONE (1) MONTH from the mailing date of this letter to supply the information requested below. This period is governed by § 1.181(f) and is not extendable. Failure to supply the requested drawings will result in issuance of a decision on the petition without consideration of the filing of such drawings.

The above-identified application became abandoned for failure to timely file a proper response to the Notice to File Missing Parts of Application mailed February 6, 2001. This Notice set a time limit of two (2) months for response, with extensions of time permitted under § 1.136(a). No reply having been received and no extensions of time obtained, the application became abandoned effective April 7, 2001. A Notice of Abandonment was mailed on June 9, 2003.

The instant petition was resubmitted by facsimile transmission. The original petition shown to have been received in the Office on July 7, 2003 is not present in the application file. Thus, the only required reply present in the application includes the 6 sheets of substitute drawings submitted by facsimile transmission. Unfortunately, under 37 CFR 1.6(d)(4), drawings submitted under 37 CFR 1.81, 37 CFR 1.81, 1.83-1.85, 1.152, 1.165, 1.174, or 1.437 may not be filed by facsimile transmission in patent applications. Accordingly, it is required that applicants resubmit the 6 sheets of substitute drawings by mail or hand-delivery.

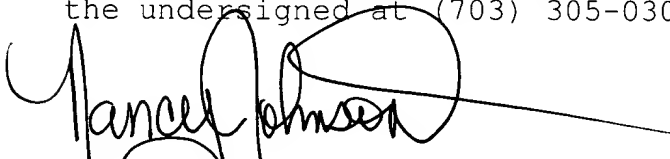
A decision on the petition filed January 16, 2004, is being held in abeyance pending resubmission of the drawings.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By hand: CUSTOMER SERVICE WINDOW
 2011 South Clark Place
 Crystal Plaza Two Lobby
 Arlington, VA 22202

Telephone inquiries related to this decision may be directed to the undersigned at (703) 305-0309.



Nancy Johnson
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